

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DEMOND LAVELLE BABB,

Plaintiff,

V.

CITY OF TACOMA et al.,

Defendants.

CASE NO. 3:18-cv-05215-RJB

ORDER GRANTING PLAINTIFF'S
MOTION FOR CONTINUANCE OF
TRIAL AND DENYING
PLAINTIFF'S MOTION FOR
EXTENSION OF DISCOVERY
DEADLINES

THIS MATTER comes before the Court on the above-referenced motions (Dkt. 23). The Court is familiar with the file and documents filed in support of and in opposition to the motions.

Plaintiff has made a showing justifying a short continuance of the trial date—that Plaintiff is incarcerated in Oregon until June 17, 2019. It is far easier for all concerned, and less expensive, to conduct a trial if the Plaintiff is not incarcerated. The trial date should be continued to a date after June 17, 2019. Counsel should meet and confer and provide the court with a joint status report with recommended trial dates and with trial counsels' unavailable dates on or before January 31, 2019.

1 Plaintiff has not made a showing justifying an extension of discovery deadlines, and that
2 part of Plaintiff's motion should be denied.

3 In regard to Defendants' deposition of Plaintiff, no motion is before the Court. Counsel
4 should meet and confer to arrange for Plaintiff's deposition at his place of incarceration and/or
5 consider extending discovery deadlines for the limited purpose of deposing Plaintiff. Of course,
6 the Court will consider any motions made.

7 THEREFORE, it is now ORDERED that Plaintiff's Motion for Continuance of Trial
8 (Dkt. 23) is GRANTED and Plaintiff's Motion for Extension of Discovery Deadlines (also Dkt.
9 23) is DENIED.

10 It is FURTHER ordered that the parties shall meet, confer, and report to the court on trial
11 dates as stated above.

12 IT IS SO ORDERED.

13 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
14 to any party appearing *pro se* at said party's last known address.

15 Dated this 26th day of December, 2018.

16 
17

18 ROBERT J. BRYAN
19 United States District Judge
20
21
22
23
24